

XCVII to CXCII	29, 30, 40, and 41	Drawn to an isolated polypeptide comprising a specific amino acid sequence or encoded by a specified nucleic acid and a method of producing said polypeptide; wherein the specific amino acid sequence for groups XCVII to CXCII is one or even numbered SEQ ID NOs: 2-192, respectively, and wherein the specific nucleic acid for groups XCVII to CXCII is one of odd numbered SEQ ID NOs: 1-191, respectively;
CXCIII to CCCLXII	57 and 58	Drawn to a method for modulating proliferation of a plant cell comprising introducing into the plant cell an expression cassette comprising a specified nucleic acid, wherein the specified nucleic acid for groups CXCIII to CCCLXII is one of odd numbered SEQ ID NO: 1-339, respectively;
CCCLXIII to CDLVIII	28 (in part)	Drawn to an isolated nucleic acid that is a complement to a specified sequence, and wherein the specified sequence for Groups CCCLXIII to CDLVIII is odd numbered SEQ ID NOs: 1-191, respectively.

#### APPLICANTS' ELECTION

Applicants hereby elect the invention of Group CCXCVII, claims 57 and 58, drawn to a method for modulating proliferation of a plant cell comprising introducing into the plant cell an expression cassette comprising SEQ ID NO: 209 (*i.e.*, *O. sativa* cyclin OsCYCOS2), for prosecution at this time.

#### REMARKS

Claims 1-58 are now pending in the subject U.S. patent application. Claims 1-58 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group CCXCVII, claims 57 and 58, for prosecution at this time. Applicants respectfully submit that Group CCXCVII is believed to be the Group that relates to methods for modulating proliferation of a plant cell comprising introducing into the plant cell an expression cassette comprising SEQ ID NO: 209 (*i.e.*, *O. sativa* cyclin OsCYCOS2). In the event that applicants have incorrectly calculated the Group number, applicants respectfully request that the Patent Office examine the Group that corresponds to SEQ ID NO: 209. Applicants hereby reserve the right to

file one or more divisional patent applications directed to the unelected subject matter.

Applicants further respectfully submit that it is believed that the claims that are to be examined pursuant to this election also include claims 54-56, and that claims 54-58 all read on the elected embodiment. Thus, applicants respectfully submit that the election of Group CCXCVII should lead to claims 54-58 being examined by the Patent Office.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

Deposit Account

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments in connection with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: 01/23/2007 By: Arles A. Taylor, Jr.  
Arles A. Taylor, Jr.  
Reg. No.: 39,395

Suite 1200 University Tower  
3100 Tower Boulevard  
Durham, North Carolina 27707  
Telephone: (919) 493-8000  
Facsimile: (919) 419-0383

1392/10/19 PCT/US AAT/CPP

Customer No: 25297